

# **Pretrial Services Agency**

*for the District of Columbia*



## **Congressional Budget Justification and Performance Budget Request Fiscal Year 2018**

**May 23, 2017**

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## TABLE OF CONTENTS

Agency Overview .....	1
Fiscal Year 2018 President's Budget .....	4
Summary of Change .....	5
PSA Program Purpose .....	6
Organizational Structure .....	8
Program Performance .....	15
Performance Outcomes .....	16
Resource Requirements by Strategic Objective .....	17
Strategic Objectives	
Risk Assessment .....	18
Risk-Based Supervision .....	20
Appropriate Treatment .....	24
Supporting Materials .....	28
Using Evidence and Evaluation to Improve Outcomes..... (OMB M-14-06, <i>Guidance for Providing and Using Administrative Data     for Statistical Purposes</i> )	28
Data Act Implementation .....	32
Budget Display .....	33

## AGENCY OVERVIEW

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The Pretrial Services Agency for the District of Columbia (PSA) assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court, identifying detention eligibility and formulating release recommendations, as appropriate, based upon the arrestee's demographic information, criminal history, and substance use and/or mental health information. For defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing.

PSA was created by an act of Congress (the *District of Columbia Bail Agency Act*) in 1967. Under the *National Capital Revitalization and Self-Government Improvement Act of 1997*, PSA was established as an independent entity within the Court Services and Offender Supervision Agency (CSOSA) in the Executive Branch of the Federal Government. Since its inception as a federal agency, PSA has sharpened its mission and vision and committed itself to being driven by performance and measured by results.

In 2017, PSA celebrates 50 years of service to the Nation's Capital, during which time it has earned a national reputation as a leader in the pretrial justice field. PSA employs proven, evidence-based practices to help judicial officers in the city's local and Federal courts make appropriate and effective bail decisions. The result for the District of Columbia (DC or District) community is smarter use of jail resources, enhanced public safety, and a fairer and more effective system of release and detention.

The District operates an "in or out" bail system that promotes open and transparent decisions about release or detention. The foundation of this system is the DC bail statute, which emphasizes the use of least restrictive release conditions for eligible defendants, statutory-based detention for those who pose an unacceptable risk to the community, and an absolute prohibition on money-based detention. The statute allows judges to detain defendants in a way that not only protects public safety, but safeguards due process. Most significantly, the District's bail law encourages strong pretrial outcomes without the use of money bonds.

PSA has responsibility for over 17,000 defendants each year, and supervises approximately 4,600 individuals on any given day. The vast majority of defendants are awaiting trial in DC Superior Court, with a smaller number awaiting trial in US District Court. PSA's current caseloads include individuals being supervised on a full range of charges, from misdemeanor property offenses to felony murder. On average, defendants remain under supervision for 100 days. During this period, PSA administers evidence-based and data informed risk assessment and supervision practices to identify factors related to pretrial misconduct and maximize the likelihood of arrest-free behavior and court appearance during the pretrial period.

## **A MODEL FOR PRETRIAL JUSTICE**

In its 50 years serving the District of Columbia, PSA's drug testing and innovative supervision and treatment programs have become recognized as models for the criminal justice system. This is evidenced by the steady stream of requests from jurisdictions throughout the US and internationally to visit our system to gain insight for initiating or enhancing their own pretrial programs. The foundations of PSA's model approach include:

- providing timely and accurate information to the Courts to support informed decision-making;
- honoring the presumption of innocence and each defendant's right to pretrial release under the least restrictive conditions that assure community safety and return to court;
- promoting graduated sanctions for violation of release conditions and incentives for defendants who consistently obey release conditions;
- implementing continuous process evaluation to improve outcomes and assure the fair administration of justice;
- using evidence-based solutions that recognize substance use disorders as a medical condition that can be treated;
- partnering with other justice agencies and community organizations to enhance public safety in the District's neighborhoods and build capacity for support services for defendants under pretrial supervision; and
- effectively managing the appropriated funds entrusted to its stewardship.

The number of requests as well as the size of groups coming to visit DC has consistently increased in recent years. National visitors tend to focus more on understanding the technical aspects of how to replicate certain operations, such as risk assessment. PSA has used some form of risk assessment since its inception in 1967—the longest continuous use of risk instruments in the pretrial field.

Because of this, many jurisdictions have looked to the District's pretrial justice model to inform their own plans for reform. Most recently, PSA has hosted delegations from Alabama, Maine, Ohio, Connecticut, Pennsylvania and California. In addition to hosting government representatives, PSA has also provided information and technical assistance to a number of states, including New York, which is evaluating its bail system in light of recent high profile cases involving persons detained while awaiting trial.

When delegations from foreign countries visit PSA, they each are at different stages in the process of reforming their pretrial justice systems or implementing new programs and their interests are much broader. Delegations in the past have included senior government officials, policy advisors, researchers and practitioners from Brazil, Argentina, Peru, Chile, Netherlands, Mexico, Kazakhstan, China, Vietnam, Thailand, Republic of Congo, Republic of Georgia and Colombia. While the areas of interest vary, in general, discussions tend to focus on explanations of the US civil and criminal justice systems at the federal, state and local levels; the role of various criminal justice system partners; the Drug Court model; developing and implementing alternatives to incarceration; and supervision techniques for non-violent defendants.

## **A MODEL FOR INNOVATIVE SUPERVISION TECHNIQUES**

PSA is a leader in the field of criminal justice drug testing, having established the first in-house laboratory for a pretrial agency in 1984. At its state-of-the-science laboratory, each year PSA conducts over 2.3 million drug tests on nearly 270,000 urine specimens of persons on pretrial, probation, parole, and supervised release, as well as for persons whose matters are handled in the Family Court. These results are key to helping PSA and other justice agencies identify and address the substance use-related public safety risks posed by individuals under supervision.

PSA plays a vital role in supplying the local public health and public safety communities with information on emerging trends related to drug use within the criminal and juvenile justice systems. As the patterns of substance use within the DC criminal justice population change, PSA helps the jurisdiction remain at the forefront of the issues by developing and implementing drug testing strategies to keep pace with emerging trends. Presently, PSA is aggressively developing testing strategies to identify and appropriately respond to the use of new psychoactive substances (e.g. synthetic cannabinoids and synthetic opioids) in the District of Columbia.

## FISCAL YEAR 2018 BUDGET REQUEST

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PSA's *FY 2018 President's Budget (PB)* reinforces the Agency's commitment to be a performance-based, results-driven organization that can directly link costs with outcomes. It highlights the Agency's dedication to ensuring public safety and promoting pretrial justice through high-quality risk assessment, supervision and treatment services. PSA's strategic priorities emphasize evidence-based operational and management practices, innovative approaches in technologies and organizational learning, strategic partnerships, performance-based management and maximum workforce productivity. By employing these strategic approaches, PSA will continue to improve its identification of defendants who pose a higher risk of pretrial failure, enhance its supervision and oversight of these defendants, and provide services and support of persons with substance dependence and mental health needs.

PSA's FY 2018 budget request is \$63,458,000, including 364 FTE, a net increase of \$1,219,000 in an adjustment to base (ATB). This budget request incorporates the anticipated 1.9 percent pay raise estimated to be effective January 2018.

## SUMMARY OF CHANGE

<b>Pretrial Services Agency for the District of Columbia</b> <b>Fiscal Year 2018</b>		
	FTE	Amount \$(000)
<b>FY 2016 Enacted</b>	<b>373</b>	<b>62,357</b>
<b>FY 2017 Estimate</b>	<b>364</b>	<b>62,239</b>
<b>Changes to Base:</b>		
Adjustment to FY 2018 Base	0	1,219
<b>Sub-total, Changes to Base</b>	<b>0</b>	<b>1,219</b>
<b>FY 2018 Requested Program Changes:</b>		
N/A	0	0
<b>Sub-total, FY 2018 Program Changes</b>	<b>0</b>	<b>0</b>
<b>Total Changes</b>	<b>0</b>	<b>1,219</b>
<b>FY 2018 President's Budget</b>	<b>364</b>	<b>63,458</b>
<b>Increase (Decrease) versus FY 2017 Estimate</b>	<b>0</b>	<b>1,219</b>
<b>Percent Increase (Decrease) versus FY 2017 Estimate</b>	<b>0.0%</b>	<b>1.96%</b>



## PSA PROGRAM PURPOSE

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### MISSION

To promote pretrial justice and enhance community safety.

### VISION

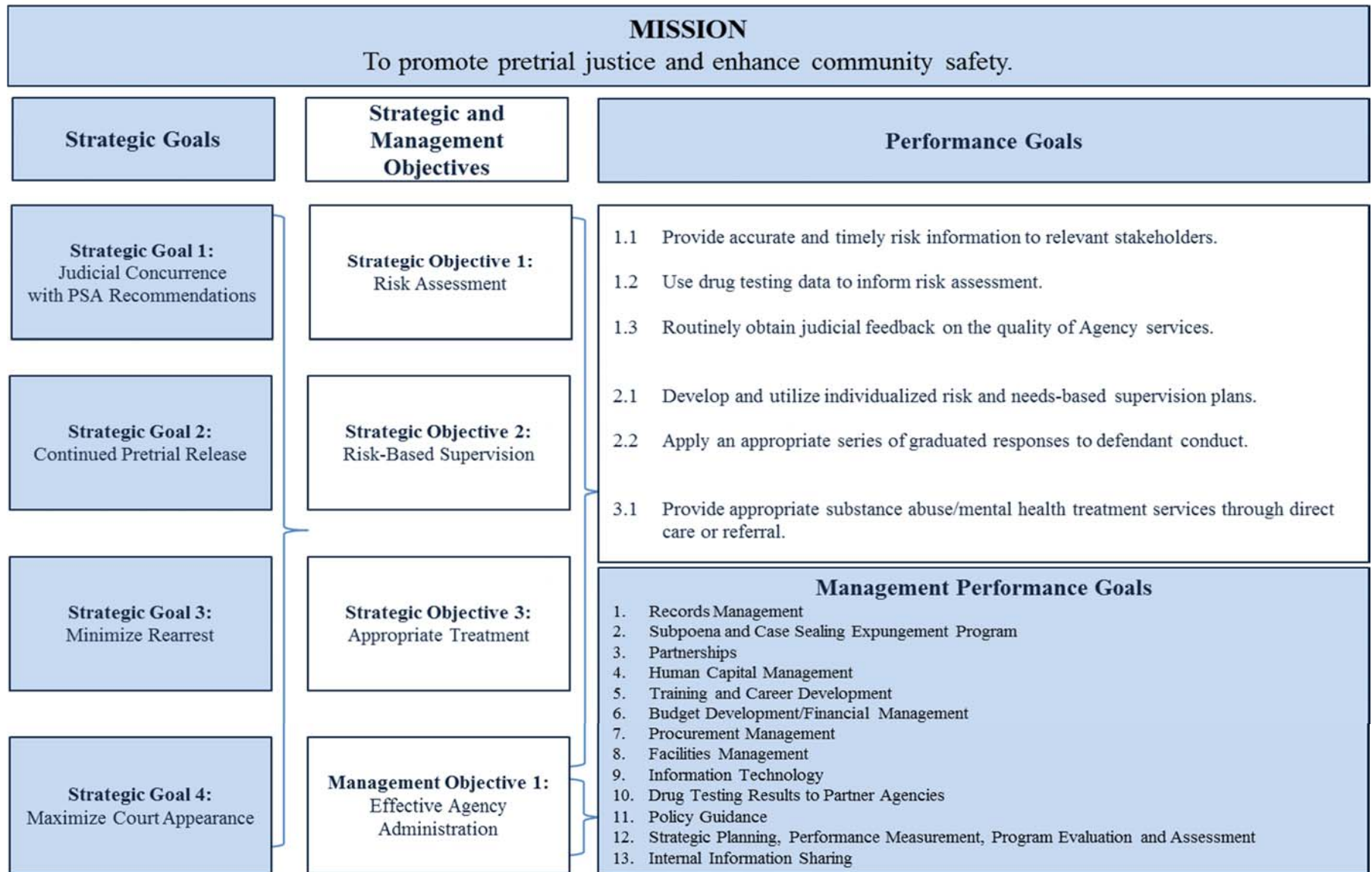
To thrive as a leader within the justice system through a diverse, inclusive and empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

### STRATEGIC FRAMEWORK

PSA's Strategic Framework (page 7) is the cornerstone by which the Agency sets outcome-oriented goals, determines actions to achieve the goals, and mobilizes resources to execute the actions. The framework starts with a clear mission statement. Cascading strategic goals, objectives and performance goals and measures are directly aligned to the mission.

The strategic goals articulate outcome-oriented, long-term goals for advancing PSA's mission. PSA's strategic objectives are used to develop performance measures which provide leading and lagging information, monitor agency operations, show how employees contribute to the organization's mission, determine program evaluations needed, communicate Agency progress, and consider the impact of external factors on the Agency's progress. The framework includes three strategic objectives: risk assessment, risk-based supervision and appropriate treatment, and one new management objective: effective agency administration. PSA links costs and outcomes based on the strategic objectives as illustrated in the resources requirement chart on page 17.

## FY 2016 – FY 2018 PSA STRATEGIC FRAMEWORK



## ORGANIZATIONAL STRUCTURE

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PSA's organizational structure supports the effective management of risk assessment, drug testing, supervision, and treatment services for pretrial defendants, and performance of a variety of other management and administrative functions. Under the direction of the Associate Director for Operations, the Court Services, Supervision, Treatment and Drug Testing Compliance and Quality Management Programs carry out PSA's court and defendant-related operations. All management, program development and administrative support functions, including forensic toxicology services, are performed under the oversight of the Office of the Director.

During FY 2016, PSA Operations programs were restructured to streamline and narrow the focus of specific program functions into more manageable and efficient components. The program descriptions below depict the new organizational structure.

### COURT SERVICES PROGRAM

The **Court Services Program** consists of five teams that compose the Diagnostic Unit.

The *Diagnostic Unit* interviews defendants arrested and detained on criminal charges in the DC Superior Court, formulates release recommendations based on a comprehensive, scientifically validated risk assessment, and provides the recommendations to judicial officers in a pretrial services report (PSR). The pre-release process includes an extensive background investigation, during which information collected in defendant interviews is verified and criminal history information is gathered and analyzed. This information is used to assess each defendant's risk of rearrest and failure to appear in Court. It is also used to make an individualized recommendation to the judicial officer for either pretrial release or detention at arraignment. Recommendations for release include specific conditions that are designed to mitigate the risk of rearrest and failure to appear. Diagnostic Unit staff appear in court during each arraignment to provide information upon request by the judiciary and to facilitate the placement of defendants released into various PSA supervision programs. The Diagnostic Unit also conducts investigations for arrestees being considered by the arresting law enforcement agency for release on citation (so they will not be detained pending their first appearance before a judicial officer). The Diagnostic Unit staff provides service to the defendants and external stakeholders seven days per week across three distinct shifts.

### DRUG TESTING COMPLIANCE AND QUALITY MANAGEMENT PROGRAM

The **Drug Testing Compliance and Quality Management** program consists of the Release Services Unit, Drug Testing and Compliance Unit and the Quality Management Program.

Immediately following a defendant's release onto pretrial supervision with PSA, the *Release Services Unit* conducts a post-release interview that includes a review of the defendant's release conditions and an explanation of the penalties that could result from non-compliance, failure to appear, and rearrest. This Unit also investigates outstanding bench warrants to re-establish contact

with defendants who have failed to appear for court. The Unit prevents the issuance of bench warrants by verifying defendants' inability to appear in court (e.g., due to incarceration in another jurisdiction or hospitalization) and notifying the Court.

The *Drug Testing and Compliance Unit (DTCU)* collects urine and oral fluid samples for analysis from defendants detained prior to arraignment, defendants who have been ordered to drug test as a condition of pretrial release, and respondents with matters in DC Family Court. Because a substantial number of criminal defendants have substance use disorders that must be addressed to mitigate their risk to public safety, drug testing provides vital data that informs judicial release decisions and PSA supervision approaches.

The *Quality Management Program* was established during FY 2016 to provide quality assurance and control for Operations program functions. The unit is responsible for four distinct components; quality planning, quality assurance, quality control and quality improvement. Unit staff work across Operations to develop quality management objectives aligned with PSA's strategic goals and performance objectives to ensure program components consistently perform at the desired level of excellence. The unit conducts analyses and evaluations of business processes to support supervisory and management staff with oversight of daily operations and to enhance program services.

## **SUPERVISION PROGRAM I**

The **Supervision Program I** consists of the General Supervision Unit and the US District Court Unit.

The *General Supervision Unit (GSU)* supervises the majority of defendants released by DC Superior Court to PSA on conditional release. Release conditions may include orders to stay away from designated people and places; regular in-person or telephone contact with PSA; drug testing; and referrals for treatment assessment and program placement. GSU Pretrial Services Officers (PSOs) ensure that current and relevant information regarding compliance is continuously available to the Court. PSOs use a variety of case management techniques to encourage defendant compliance with release conditions. If the defendant cannot be brought into compliance through these efforts, the PSO sends a violation report to the Court, including specific recommendations, such as substance use disorder treatment or mental health treatment, designed to address the non-compliance.

Defendants under GSU supervision have been charged with offenses ranging from serious misdemeanors to dangerous and/or violent felonies. Many defendants are statutorily eligible for pretrial detention based on their charge (e.g., robbery, burglary, aggravated assault) or criminal history (e.g., they are arrested while on release in a pending case or on probation). However, the Court can determine, after considering PSA's risk assessment and release recommendations, that supervised release in the community under extensive conditions is appropriate and cost effective. In such cases, the Court's expectation is that PSA will closely supervise compliance with release conditions and promptly report any non-compliance to the Court.

GSU also supervises defendants placed into the DC Department of Corrections work release (halfway house) program when the Court orders additional conditions, such as drug testing and reporting in person to PSA.

The *US District Court Unit* conducts pre-release assessment and investigation services for federal defendants similar to those conducted in the Diagnostic Unit. In addition to those responsibilities, the Unit supervises released defendants and convicted persons pending surrender for service of their sentences. Like their counterparts in the DC Superior Court, PSOs in the US District Court Unit notify US District Court judges and magistrate judges of violations of release conditions in federal criminal cases. PSOs in this Unit also provide daily courtroom support to judicial officers.

The **Supervision Program II** consists of the High Intensity Supervision Program, the Traffic Safety Supervision Program and the Court Representatives.

The *High Intensity Supervision Program (HISP)* supervises higher risk defendants who have supervision-related failures from other PSA units; are charged with violent misdemeanors and felonies; were initially detained but are now eligible for release; or are compliant with halfway house conditions of work release and are now appropriate for placement back into the community. Supervision requirements include face-to-face contact and drug testing at least once per week, and a daily electronically monitored curfew. If the Court orders the defendant to stay away from a location, that condition is monitored by Global Positioning System (GPS) equipment.

The program consists of two phases, the Community Supervision phase and the Home Confinement phase. During the Community Supervision phase, defendants are monitored for compliance with curfew requirements and are required to report to PSA at least weekly for drug testing and meetings with their designated PSO. Home Confinement is intended primarily as a graduated sanction for defendants who violate the program requirements under the Community Supervision phase. However, the Court may opt to order a defendant directly into Home Confinement and require the defendant to demonstrate compliance before graduating down to the Community Supervision phase. During Home Confinement, defendants are subject to up to 21 days of 24-hour electronically monitored curfew. They are allowed to leave their homes only for work, to attend school, to report to PSA for face-to-face contacts and drug testing, and for other pre-approved purposes. Defendants are returned to Community Supervision once they have completed the 21 days without incurring any infractions. Due to the heightened risk associated with this population, PSA reports all program violations to the Court within an expedited timeframe.

The *Traffic Safety Supervision Unit (TSSU)* provides supervision, monitoring, and referral to substance use disorder and/or mental health treatment, and encourages compliance with treatment for defendants charged with certain impaired driving-related and other DC Code offenses prosecuted by the Office of the Attorney General for the District of Columbia. The unit primarily serves defendants charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI) with a variety of risk profiles – from those presenting low risk and needing minimal monitoring, to those posing greater risk and requiring extensive supervision of release conditions and/or substance use disorder or mental health

treatment. TSSU collaborates with the court, prosecution and defense counsel and uses a variety of graduated responses to assist defendants in maintaining compliance to release conditions.

Prior to FY 2015, PSA linked defendants in this program to treatment services provided by local government sources only. While most of these defendants were eventually placed into some level of treatment, they typically encountered significant delays in receiving services, which were often provided at a lower clinical level than that recommended by PSA's assessment. In addition, PSA had no way of consistently obtaining information relative to the quality of care or defendants' compliance with program requirements. Since FY 2015, PSA has allocated a limited portion of its contract drug treatment budget for those defendants in the TSSU program assessed with the highest treatment needs.

The *Court Representative Unit* provides daily courtroom support to judicial officers to ensure placement of defendants into appropriate pretrial programs. The Court Representative PSOs support judicial proceedings in DC Superior Court and provide information regarding the defendant's adjustment and compliance to conditions of release. The unit assists the court by providing recommendations and referrals for program and unit placements based on evaluations for substance use and mental health disorders and levels of assessed risk. Court Representatives report compliance on release conditions, verify warrant and criminal history information, and provide verification of program placements and information to support modifications of existing release conditions. Unit staff also ensures the appropriate forms, release orders and any other applicable documents are completed and copies are provided to the defendant and his/her attorney as well as any necessary written instructions, contact information and directions. Court Representative PSOs also monitor administrative caseloads for defendants released to personal recognizance and those on unmonitored supervision to report re-arrest and compliance to release conditions pending the defendants return to court.

## **TREATMENT PROGRAM**

The **Treatment Program** is staffed by PSOs experienced in supervising and providing services for defendants with substance use and/or mental health disorders. It includes the Superior Court Drug Intervention Program (Drug Court), the Sanction-Based Treatment Track, the Specialized Supervision Unit, and the Social Services and Assessment Center (SSAC).

*Drug Court* is a treatment/supervision program that implements an evidence-based model for treating defendants with substance use disorders. Drug Court PSOs play a vital role in providing and overseeing both supervision and treatment services. Generally, Drug Court targets defendants charged with non-violent offenses. Participants in the program appear frequently before the Drug Court judge, submit to random drug testing, participate in substance use disorder treatment, and agree to immediate administrative or court-imposed sanctions for non-compliance with program requirements. The program incorporates contingency management (i.e., incentives and sanctions) to modify behavior. Sanctions range from administrative or treatment responses, such as participating in additional groups or completing therapeutic writing assignments, to judicially imposed jail sanctions. Incentives, such as judicial verbal acknowledgement and nominal value tokens, are provided in response to positive behavior. Program completion can result in dismissal

of a misdemeanor case. Defendants with a felony charge can receive probation or, if eligible, be convicted of a misdemeanor through an amended sentencing agreement.

The *Sanction-Based Treatment Track (SBTT)* is intended for defendants not eligible for Drug Court, and includes many features of that program. Defendants in SBTT receive the same treatment options and are subject to the same administrative and judicially imposed sanctions as Drug Court defendants. SBTT defendants may also receive incentives for positive behavior. However, these incentives are more limited and less immediate than those awarded in Drug Court. Unlike Drug Court, SBTT defendants have limited judicial interaction (except when being sanctioned) and are not eligible for case dismissal or other favorable case disposition upon successful completion by the Drug Court judge.

The *Specialized Supervision Unit (SSU)* provides critical supervision and case management services for defendants with severe and persistent mental health disorders, as well as those dually diagnosed with both mental illness and substance use disorders. The SSU ensures that these defendants are linked with community-based mental health treatment through the DC Department of Behavioral Health and similar agencies in Maryland and Virginia, for residents of those states. SSU defendants also receive treatment services through PSA's Building Bridges in-house intensive outpatient program. This program provides individual and group psychotherapeutic services for defendants with co-occurring substance use and mental health disorders.

This unit is staffed with personnel who have mental health expertise and/or specialized experience working with mentally ill and dually-diagnosed defendants. The SSU plays a vital role in supporting the Mental Health Community Court (MHCC), which is a partnership among PSA, the DC Superior Court, US. Attorney's Office, and local defense bar created to provide an alternative to traditional case processing for appropriate defendants with mental health issues. The MHCC is available to eligible defendants charged with either misdemeanors or felonies and enables positive defendant judicial interaction and full participation in mental health services. PSA's participation in the MHCC includes assessing and recommending eligible defendants for participation, providing close supervision and connection to mental health and substance use disorder treatment, and reporting compliance to the Court.

The *Social Services and Assessment Center (SSAC)* conducts substance/alcohol use disorder and mental health assessments and provides social service referrals for defendants under pretrial supervision. These services are provided in response to court-ordered release conditions and/or as the result of a PSO determining that services may be needed to enable release condition compliance. The SSAC conducts approximately 200 substance use disorder assessments or re-assessments and 200 mental health assessments per month. The SSAC also assesses defendants suspected of experiencing mental illness. Staff in the SSAC identify and maintain information on available treatment, employment, education, housing and other social services that may be utilized by defendants in meeting pretrial release obligations or achieving life stability.

## **FORENSIC TOXICOLOGY SERVICES**

**The Office of Forensic Toxicology Services (OFTS)** performs urine forensic drug testing for pretrial defendants under PSA's supervision and offenders under the CSOSA Community Supervision Program (CSP) (i.e., persons on probation, parole, and supervised release), as well as respondents ordered into testing by the DC Superior Court Family Division. PSA also conducts oral fluid screenings for defendants under PSA supervision. Each urine sample is tested for up to nine drugs of abuse, including synthetic cannabinoids; and all positive samples are retested for agreement and accuracy. Gas chromatograph/mass spectrometry (GC-MS) analyses are conducted to confirm test results and provide affirmation of the identity of a drug when results are challenged. Toxicologists conduct levels analysis to determine if the detected drug concentration signifies new use or if it is residual. These interpretations are essential to the courts for determining continued drug use by a defendant. Expert witness court testimony and forensic consultations are also provided to assist the judicial officers.

OFTS conducts forensic research that leads directly to practical enhancements in drug testing, improves strategies in surveillance monitoring, develops beneficial bi-directional partnerships with the scientific and social research community, and introduces cutting edge technologies that improve efficiency, reduce cost and enhance Agency stature.

## **MANAGEMENT, PROGRAM DEVELOPMENT AND ADMINISTRATIVE SUPPORT**

The following areas within the Agency provide management, program development, and frontline operations support:<sup>1</sup>

### **JUSTICE AND COMMUNITY RELATIONS**

The **Office of Justice and Community Relations** establishes and maintains effective partnerships with the judicial system, law enforcement and the community to enhance PSA's ability to provide effective community supervision, enforce accountability, increase community awareness of PSA's public safety role, and develop opportunities for defendants under pretrial supervision and pretrial diversion. It is through these partnerships with the courts, the United States Attorney's Office, various District government agencies and non-profit community-based organizations that PSA can effectuate close supervision to reasonably assure that defendants will return to court and not pose a danger to the community while on pretrial release.

### **FINANCE AND ADMINISTRATION**

The **Office of Finance and Administration** (OFA) assures the effective management and financial integrity of PSA programs, activities, and resources by developing, implementing and monitoring policies, procedures and systems in the areas of budget formulation and execution, finance and accounting, travel, internal controls, financial systems, and contract management.

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<sup>1</sup> Certain functions are performed by CSOSA for PSA, including select functions of the Office of General Counsel; Legislative, Intergovernmental, Public Affairs; Equal Employment Opportunity; and Diversity and Special Programs.



OFA also has responsibility for developing and administering policies, standards, and procedures regarding facilities management, property management and control, space management, vehicles, mail and distribution services, printing and reproduction services, and emergency and continuity of operations management planning.

## **HUMAN CAPITAL MANAGEMENT**

The **Office of Human Capital Management (OHCM)** develops and administers the full range of human resources programs, including organizational design; a comprehensive classification, pay, and position management program; staffing and recruitment; awards and recognition; payroll administration; employee and labor relations, benefits and assistance; and personnel security. OHCM also includes the **Training and Career Development Center (TCDC)**, which manages programmatic, systems and management training; performs training needs assessments; develops curricula; prepares, presents, procures and administers training courses; and designs training on PSA programs and systems for external agencies. TCDC also offers formal developmental programs and training and opportunities to all staff.

## **INFORMATION TECHNOLOGY**

The **Office of Information Technology (OIT)** plans, develops, and manages the information technology systems that support PSA programs and management operations as well as information technology-related standards, policies and procedures. OIT assesses PSA technology requirements; analyzes potential return on technology investment for internal systems and for PSA interface with external systems; designs and administers system configuration and architecture including hardware and software, telecommunications, network operations, desktop systems, and system security; and reviews and approves acquisition of all PSA major hardware, software, and information technology contracts.

## **STRATEGIC DEVELOPMENT**

The **Office of Strategic Development (OSD)** promotes informed action within PSA by leading the Agency's strategic planning, performance improvement, and research efforts. OSD also encourages innovative thinking within the Agency to advance best practices in risk assessment, supervision, treatment, and performance management. OSD's Director serves as PSA's Performance Improvement Officer.

## PROGRAM PERFORMANCE

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PSA's *Strategic Goals* for FY 2016-2018 span the Agency's major functions and operations and link to the outcomes of judicial concurrence, promoting continued pretrial release, minimizing re-arrest and maximizing court appearance. The new strategic goal related to judicial concurrence with PSA recommendations is consistent with PSA's recognition of the Court as its primary stakeholder.

### **STRATEGIC GOAL 1: JUDICIAL CONCURRENCE WITH PSA RECOMMENDATIONS**

During FY 2016, the Agency implemented a judicial concurrence measure to gauge the rate at which judicial officers impose release conditions that are consistent with PSA's recommendations at initial appearance.

### **STRATEGIC GOAL 2: CONTINUED PRETRIAL RELEASE**

The strategic goal of continued pretrial release focuses on PSA's aim to keep defendants effectively supervised in the community during the pendency of their cases. This goal examines the percentage of released defendants who remain on supervision without revocation (or request for revocation) due to violation of release conditions; appear for all scheduled court appearances; and are not charged with a new offense during pretrial supervision. The measure excludes defendants who are detained following a guilty verdict and those revoked due to non-pretrial-related holds.

### **STRATEGIC GOAL 3: MINIMIZE REARREST**

PSA's strategic goal of minimizing rearrest tracks the percentage of supervised defendants who are not arrested for a new offense during the pretrial period. A new offense is defined as one with the following characteristics:

- the offense date occurs during the defendant's period of pretrial release;
- there is a prosecutorial decision to charge; and
- the new offense carries the potential of incarceration or community supervision upon conviction.

### **STRATEGIC GOAL 4: MAXIMIZE COURT APPEARANCE**

The strategic goal of maximizing court appearance is one of the most basic outcome measures for pretrial service programs. National standards on pretrial release identify minimizing failures to appear as a central function for pretrial programs. This strategic goal is expressed as the "appearance rate," which indicates the percentage of supervised defendants who make all scheduled court appearances.

PSA measures achievement of its critical outcomes through four measures:

### PSA PERFORMANCE OUTCOMES

	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2016- 2018 Target
<b>Judicial Concurrence Rate</b>						
<i>Agreement between PSA's release recommendations and judicial release and detention decisions</i>						
	N/A	N/A	N/A	N/A	72%	70%
<b>Continued Pretrial Release</b>						
<i>Percentage of defendants who remain on release at the conclusion of the pretrial release period without a pending request for removal or revocation due to non-compliance</i>						
	88%	87%	88%	88%	88%	85%
<b>Arrest-Free Rate</b>						
<i>Percentage of defendants who remain arrest-free during the pretrial release period</i>						
Any crimes	89%	90%	89%	89%	88%	88%
Violent crimes	>99%	99%	98%	98%	98%	97%
<b>Appearance Rate</b>						
<i>Percentage of defendants who make all scheduled court appearances during the pretrial release period</i>						
	89%	88%	88%	88%	91%	87%

## RESOURCE REQUIREMENTS BY STRATEGIC OBJECTIVE

PSA uses a cost allocation methodology to determine actual and estimated appropriated resources, including both direct (e.g., staff performing direct defendant supervision) and indirect (e.g., rent, administrative activities, management), supporting each strategic objective. Program summaries and accomplishments for each objective are discussed in the following pages. The chart below reflects the funding allocation by strategic objective for fiscal years 2016, 2017 and 2018.

### FUNDING BY STRATEGIC OBJECTIVE

	<b>FY 2016 Actual</b>	<b>FY 2017 Projected</b>	<b>ATB</b>	<b>Program Changes</b>	<b>FY 2018 Request</b>	<b>Change from FY 2017</b>
<b>Strategic Objective 1: <i>Risk Assessment</i></b>						
\$ in thousands	6,316	10,230	200	0	10,430	200
FTE	61	63	0	0	63	0
<b>Strategic Objective 2: <i>Risk-Based Supervision</i></b>						
\$ in thousands	30,962	29,430	576	0	30,006	576
FTE	163	176	0	0	176	0
<b>Strategic Objective 3: <i>Appropriate Treatment</i></b>						
\$ in thousands	24,431	22,579	443	0	23,022	443
FTE	117	125	0	0	125	0
<b>Total \$ in thousands</b>	61,709	62,239	1,219	0	63,458	1,219
<b>Total FTE</b>	341	364	0	0	364	0

## STRATEGIC OBJECTIVE 1 – Risk Assessment

### PROGRAM SUMMARY

*PSA promotes informed and effective release determinations by formulating and recommending the least restrictive release conditions to reasonably assure that the defendant will appear for scheduled court dates and not pose a threat to any person or to the community while on release.*

The foundation of effective pretrial supervision is risk assessment. The assessment is used to recommend appropriate release conditions, which are relayed to the judge through a pretrial services report (PSR), or *bail report*. The PSR provides much of the information the judicial officer uses to determine a defendant's risk to the community and to determine what level of supervision, if any, the defendant requires. The bail report includes criminal history, lock-up drug test results, treatment needs and verified defendant information (residence, employment status, community ties, etc.).

PSA's pre-release process assesses both risk of rearrest and failure to appear for scheduled court appearances. The assessment process has two components:

Risk Assessment: PSA uses a scientifically validated risk assessment that examines relevant defendant data to help identify the most appropriate supervision levels for released defendants. The assessment scores various risk measures and assigns weights for each item that are specific to the District's defendant population (e.g., previous failure to appear for court, previous dangerous and violent convictions, suspected substance use disorder, current relationship to the criminal justice system, among numerous others). It then generates a score that provides a guideline for determining each defendant's risk level. This risk level designation informs the recommendation made by PSA at arraignment and, for defendants released to PSA while awaiting trial, the level and nature of supervision required to reduce the risk of failure to appear in court and rearrest.

Recommendation to the Court: PSA makes recommendations for release or detention based on risk determination and statutory guidelines. If pretrial release is recommended, the Agency recommends the least restrictive conditions for each defendant given the need for public safety and reasonable assurance that the defendant will return to court. When warranted, PSA recommends to the Court a variety of release conditions including, but not limited to, drug testing, substance use disorder treatment, mental health treatment, orders to stay-away from specified persons or places, regular and frequent face-to-face contact with a PSO, halfway house placement, GPS and electronic monitoring.

## PERFORMANCE MEASURES

	Measures	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2016 - 2018 Target
1a.	Percentage of defendants who are assessed for risk of failure to appear and rearrests	99%	99%	99%	99%	99%	96%
1b.	Percentage of defendants for whom PSA identifies eligibility for appropriate appearance and safety-based detention hearings	95%	95%	95%	93%	97%	94%

## FY 2016 ACCOMPLISHMENTS

- ✓ Modified the risk assessment models to more accurately categorize the risk level of defendants charged with criminal offenses. More specifically, modifications were made to the application of risk scores for defendants charged with domestic violence offenses and the cutoff points for each risk model were adjusted to better identify the defendant population. The revised models were used to develop a multi-dimensional risk matrix that allows for consideration of a defendant's risk on each of the two primary outcomes when developing release recommendations for the pretrial services report (PSR). PSA also moved to rename the risk categories to define corresponding supervision levels for defendants under pretrial supervision.
- ✓ Prepared PSRs for 16,195 of the 16,215 cases (over 99 percent) papered by the US Attorney's Office.
- ✓ Interviewed defendants in 13,164 papered cases (81 percent).
- ✓ Conducted 146 failure-to-appear investigations. Staff attempted to contact defendants, verified the reason for the failure to appear, and submitted a report to the assigned calendar judge outlining the investigation results and making a recommendation for court action. Court Services staff facilitated the surrender to court of 43 defendants who missed scheduled court dates and had outstanding bench warrants issued.
- ✓ Conducted 7,345 citation investigations, from which 5,963 defendants were deemed eligible for citation release.
- ✓ Prepared timely PSRs for 1,477 citation cases papered by the US Attorney's Office and the Office of the Attorney General.
- ✓ Collected 83,199 urine and 1,374 oral fluid specimens for drug testing and analysis from arrestees detained prior to arraignment, defendants ordered to drug test as a condition of pretrial release, and respondents with matters in DC Family Court.

- ✓ Modified Juvenile Prism (PRISMJ) to create a synonymous user environment to that of the existing Adult PRISM. The upgrade has also streamlined the computer entries necessary for documenting the court-ordered drug testing requirement for the juvenile population.
- ✓ Launched the new mobile application for conducting defendant interviews. The application allows PSOs to collect interview information using mobile technology (e.g. tablets) instead of manually entering the defendant information onto paper folders. The information is automatically uploaded via Wi-Fi into the information management system in real-time during the interview. This process decreases the amount of time required to develop the PSR and also decreases the likelihood of data entry errors due to transcription of interview notes.

## **STRATEGIC OBJECTIVE 2 – Risk-Based Supervision**

### **PROGRAM SUMMARY**

*PSA effectively monitors or supervises pretrial defendants—consistent with the court-ordered release conditions—to promote court appearance and public safety.*

PSA supervises defendants in accordance with release conditions that are designed to minimize risk to the community and maximize the likelihood of each defendant returning to court. PSA focuses its supervision resources on defendants most at risk of violating their release conditions and employs graduated levels of supervision consistent with the defendant's identified risk level. Very low risk defendants (those released without conditions) receive only notification of court dates. Fairly low risk defendants are placed in monitoring programs that require limited contact with PSA. Medium risk defendants are placed under PSA's extensive supervision and maintain regular contact through drug testing and/or reporting to a PSO. High risk defendants may be subject to frequent contact with an assigned PSO and drug testing, curfew, electronic monitoring, substance use disorder treatment or other conditions.

PSA's monitoring and supervision has multiple components:

Notification of Upcoming Court Dates: In order to minimize failures to appear, automated notification letters are mailed to defendants once PSA is notified by the court system of upcoming court appearance dates. Defendants are also required to confirm the date of their next scheduled court appearance during each contact with PSA (drug testing or case management contact). PSA sends nearly 80,000 notification letters annually.

Appropriate Supervision: Defendants who are appropriately supervised are held accountable to the Court. PSA's supervision strategy includes promoting swift and effective consequences for violation of release conditions, and promoting incentives for defendants who consistently comply with release conditions.

Swift response to non-compliance with release conditions is at the heart of effective case management. PSA uses graduated sanctions in an attempt to modify a defendant's behavior and focuses on modifying the behaviors most closely associated with a return to criminal activity or failure to appear for court. Failure to appear for a supervisory contact, drug use, absconding from

substance use disorder treatment or mental health services, and other condition violations can be precursors to serious criminal activity. Responding quickly to non-compliance is directly related to meeting the goals of reducing failures to appear and protecting the public. When violations of conditions are detected, PSA employs all available administrative sanctions, informs the Court and, when warranted, seeks judicial sanctions, including revocation of release.

Numerous studies have documented the power of incentives to change behavior.<sup>2</sup> Common incentives recommended by PSA include: reduction in the number of contacts required; reduction in the frequency of drug testing; and placement in less intensive treatment or supervision programs.

Caseload Management: Caseload size affects the quality of supervision. Successful pretrial supervision hinges on the ability of the PSO to respond quickly to violations of the conditions of release. Ensuring that caseloads remain within manageable ranges allows sanctions to be administered swiftly in order to prompt changes in behavior.

Drug Testing, Forensic Analysis and Testimony: PSA's in-house laboratory, operated by the Office of Forensic Toxicology Services (OFTS), conducts drug testing for pretrial defendants under PSA's supervision, offenders under the CSOSA CSP (i.e., persons on probation, parole, and supervised release), as well as respondents ordered into testing by the DC Superior Court Family Division. The laboratory is certified by the US Department of Health and Human Services as being in compliance with the Clinical Laboratory Improvement Amendments (CLIA) standards. It is staffed by professionals with credentials in forensic toxicology, forensic science, medical technology, chemistry and biology.

PSA's same-day turnaround for drug test results in pretrial cases allows test results from lock-up cases to be presented to judicial officers at defendant arraignments and presentments. The OFTS can perform *spot* tests ordered by a judicial officer within a two-hour time frame through state-of-the-art testing and management information systems. The OFTS performs tests on tens of thousands of samples each month, which translates to millions of analyses for various drugs each year. Laboratory personnel interpret results for new or residual use for over 1,500 individuals each month. When requested, the laboratory's toxicologists and chemists provide expert testimony in support of analytical results.

Ongoing research conducted by the OFTS suggests fentanyl (potent synthetic opioid pain medication) use is occurring among the DC criminal justice population. At the present time, routine screening for fentanyl is not included in PSA's standard testing panel. As this study continues, OFTS will form recommendations for monitoring/testing for fentanyl use and other emerging substances.

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<sup>2</sup> Finigan, M.W. et al. (2007). *Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs*. Washington, DC: United States Department of Justice, National Institute of Justice. Meyer, W. (2007). *Developing and Delivering Incentives and Sanctions*. Alexandria, VA: National Drug Court Institute. Lindquist, C., et. al. (2006). *Sanctions and Rewards in Drug Court Programs: Implementation, Perceived Efficacy and Decision Making* *Journal of Drug Issues* Volume 36(1), pp.119-144. Marlowe, Douglas B. and Kimberly C. Kirby. (2000). "Effective Use of Sanctions in Drug Courts: Lessons from Behavioral Research," *National Drug Court Institute Review*, Vol. 2, No. 1. Alexandria, VA: National Drug Court Institute. Harrell, A. and Roman, J. (2001). "Reducing Drug Use and Crime Among Offenders: The impact of graduated sanctions." *Journal of Drug Issues* (Vol. 31(1) pp. 207-232).



## PERFORMANCE MEASURES

	Measures	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2016 - 2018 Target
2a.	Percentage of defendants who are in compliance with release conditions at the end of the supervision period	79%	78%	76%	75%	72%	77%
2b.	Percentage of defendants whose non-compliance is addressed by PSA either through the use of an administrative sanction or through recommendation for judicial action (within 5 days): <sup>Note 1</sup>						
	- drug testing violations	92%	98%	90%	90%	91%	80%
	- contact violations	87%	97%	85%	86%	87%	70%
	- group session violations	93%	65%	39%	84%	90%	80%
	- electronic monitoring violations	99%	85%	88%	95%	87%	92%

<sup>Note 1</sup> In FY 2013, PSA revised its policy for staff responses to infractions of the electronic surveillance and substance use disorder treatment conditions. The new protocols call for more specific and frequent responses than the prior policy. The results reported reflect the early results of compliance with the new requirements.

## FY 2016 ACCOMPLISHMENTS

- ✓ Developed a draft framework that incorporates risk assessment data into risk-based supervision protocols. The framework effectively defines supervision levels and provides a range of reporting and supervision strategies based on the defendant's risk designation. The new framework allows PSOs to tailor supervision strategies to meet identified risk and needs. PSA plans to develop policy guidance and staff training to fully implement enhanced risk-based supervision in FY 2017.
- ✓ Supervised 1,672 higher risk defendants under electronic surveillance.
- ✓ Fifty (50) percent of HISP defendants reaching final disposition during FY 2016 were successful on supervision, having made all scheduled court appearances, remaining arrest-free during supervision, and having no outstanding requests to the court for supervision termination.
- ✓ Four hundred fifty-six (456) HISP defendants were ordered to lesser levels of supervision by the Court due to successful compliance with HISP requirements.

- ✓ Enhanced courtroom support and service to judicial stakeholders by reorganizing the Court Representative Unit by forming two teams to enhance supervisory oversight.

### Drug Testing

- ✓ Conducted 2,356,973 drug tests on 265,101 urine samples of persons on pretrial release, probation, parole, and supervised release, as well as for persons (juveniles and adults) whose matters are handled in the Family Court.
- ✓ Performed over 13,201 levels analyses, which aid in the determination of continuing drug use, and performed 4,356 GC/MS confirmation tests.
- ✓ Provided expert witness testimony in 61 cases to interpret drug test results in the face of challenges by defendants, as well as during Drug Court daily pre-court interdisciplinary team meetings.
- ✓ Provided 419 affidavits to support hearings and adjudications in parole and probation cases in District Court.
- ✓ Introduced testing for Ethyl Glucuronide (EtG) in the population that is routinely tested for alcohol. Use of this test extends PSA's ability to fully and accurately test this population to determine overt or discreet use of alcohol. The EtG test is able to detect alcohol use within the immediate 3 to 5 days after alcohol consumption. Since introducing the test in April of 2016, a total of 41,553 EtG tests were performed.

### Synthetic Drug Testing

- ✓ Obtained testing assays for a Randox analyzer and validated testing procedures to screen oral fluid specimens for drugs of abuse as well as urine specimens for synthetic cannabinoids. The Randox analyzer has served as the instrument of choice in screening oral fluid specimens for drugs of abuse among the defendant population who are unable to submit urine specimens. This analyzer was used in a repeat investigational study on the relationship between the use of synthetic cannabinoids and violent crimes. A total of 650 specimens sampled from the lock-up population were tested in this study. Additionally, the instrument was used to analyze over 1,000 specimens collected from surveillance and lock-up populations to gauge the use of synthetic stimulants, such as cathinones (bath salts) within these populations.
- ✓ Continued partnership with the DC Office of the Chief Medical Examiner (OCME) to research and develop methods for analyzing and characterizing the identities of emerging new synthetic drugs and their urinary metabolites. By relying on this partnership, in FY 2016, an average of 40 urine specimens per month were tested for synthetic cannabinoids. Specimens are obtained from individuals supervised by PSA and CSP and selected for OCME analysis due to suspected use of synthetic drugs.

- ✓ Validated the new liquid chromatography–tandem mass spectrometry (LC-MS/MS) in readiness for use to establish in-house capability for the detection and analysis of synthetic compounds in urine specimens. Full use of the LC-MS/MS will begin during FY 2017.
- ✓ Began large scale screening of all incoming specimens for synthetic cannabinoids. The initial positive rate of the screening ranged from 3 to 4 percent, but decreased to less than 1 percent as newer varieties of synthetic cannabinoids were introduced into the population. For FY 2017, PSA plans to update its screening regimen by introducing a third generation reagent to test for newer synthetic cannabinoids.

### STRATEGIC OBJECTIVE 3 – Appropriate Treatment

#### PROGRAM SUMMARY

*PSA directly provides or makes referrals to effective substance use disorder, mental health, and social services that will assist in reasonably assuring that defendants return to court and do not pose a danger to the community.*

PSA is committed to reducing drug-involved defendant rearrest and failure-to-appear rates through four core activities: 1) identifying and addressing illicit drug use, problematic alcohol use, and other criminogenic needs; 2) delivering and facilitating evidence-based substance use disorder treatment; 3) using motivational strategies and program incentives to encourage treatment initiation, engagement and retention; and 4) establishing swift and certain consequences for continued drug use.

Drug use and mental health issues can both contribute to public safety and flight risks. PSA has developed specialized supervision programs that include treatment as an essential component for defendants with substance use disorders, mental health disorders, or both (referred to as *dual diagnosis*). Treatment, for either substance use or mental health disorders, is provided as a supplement to – and never in lieu of – supervision. Just as defendants are assigned to supervision levels based on risk, they are assigned to supervision units that provide treatment based both on risk and need. Defendants placed in these programs have drug testing, contact, and other release conditions and are held accountable for compliance with the conditions.

Court-supervised, evidence-based treatment is one of the most effective tools for breaking the cycle of substance involvement and crime. In addition to public safety benefits, the community also benefits from the cost savings of providing supervision with appropriate treatment in lieu of incarceration. A study conducted by the Department of Justice found that drug courts significantly reduce drug use, crime, and costs.<sup>3</sup> PSA operates a model Drug Court and other sanction-based treatment programs, which utilize research-supported techniques as a mechanism for enhancing community safety.

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<sup>3</sup> Rossman, S., Roman, J., Zweig, J., Rempel, M., & Lindquist, C., (2011). *The Multi-Site Adult Drug Court Evaluation: Executive Summary*. Urban Institute, June 1, 2011.

PSA's specialized treatment and supervision programs offer defendants access to various treatment levels of care, modalities and interventions. Each unit provides centralized case management of defendants, with Drug Court also providing direct treatment services. This organizational structure facilitates specialized supervision practices and consistent responses to positive and problem behaviors, which lead to better interim outcomes for defendants. In addition to drug use, other factors such as unemployment, low educational attainment, and homelessness can contribute to criminal activity. PSA is looking to build relationships with a broad range of service providers to address needs that may affect criminal behavior or to provide support to defendants. Treatment and support services are provided in the following four areas:

Substance Use Disorder<sup>4</sup>: PSA responds to drug use by referring defendants to appropriate internal or external treatment services. For certain categories of defendants, PSA provides both close supervision and in-house treatment. For others, PSA refers and places defendants in sanction-based residential treatment via contract-funded providers while continuing to provide supervision. If sanction-based treatment is not available or is not ordered by the Court, PSA provides supervision and refers defendants to community-based providers, as available. Community services are limited, however, and are not optimal for higher risk defendants who require close monitoring.

Social Services: Research supports the premise that employment can contribute to a reduction in recidivism. Recognizing this, PSA utilizes its Social Services and Assessment Center to coordinate referrals to external employment and social services for defendants on the *front end* of the criminal justice system and begin the process through which defendants may be able to secure gainful employment.

Peer Recovery Support: Research has demonstrated the utility of peer support networks (e.g., Alcoholics Anonymous) in helping to achieve treatment goals and initiate recovery. Government, research, and clinical professionals are coalescing around a Recovery-Oriented System of Care (ROSC) approach to substance use disorders and mental health-related public health issues. The ROSC views both substance use and mental health disorders recovery as best facilitated by a chronic care, community-centered approach that utilizes an array of professional, non-professional, and peer-related services that span a lifetime. PSA is actively involved in engaging defendants in a ROSC by introducing defendants to peer support groups during PSA in-house treatment, referring defendants to an array of community-based services that support recovery throughout supervision, and requiring peer support group participation for defendants in the final phase of in-house treatment.

Mental Health: Many defendants in the DC criminal justice population have mental health problems severe enough to affect their ability to appear in court and to remain arrest-free. Many of these defendants are in need of substance use disorder treatment as well. PSA's Specialized Supervision Unit addresses the needs of this dually-diagnosed population by providing specialized supervision and by arranging for needed mental health and substance use disorder treatment services.

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<sup>4</sup> American Psychiatric Association. (2013). *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*. Substance use disorder in DSM-5 combines DSM-IV categories of substance abuse and substance dependence into a single disorder measured on a continuum from mild to severe. [www.dsm5.org](http://www.dsm5.org).

## PERFORMANCE MEASURES

	Measures	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2016 - 2018 Target
3a.	Percentage of referred defendants who are assessed for substance use disorder treatment	96%	96%	94%	91%	92%	95%
3b.	Percentage of eligible assessed defendants placed in substance use disorder treatment programs Note 1	49%	52%	40%	49%	49%	50%
3c.	Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	85%	83%	85%	91%	84%	74%
3d.	Percentage of referred defendants who are assessed or screened for mental health treatment	95%	96%	96%	84%	89%	95%
3e.	Percentage of service-eligible assessed defendants connected to mental health services	85%	88%	85%	91%	84%	80%

Note 1 A relatively low placement target has been established due to the voluntary nature of substance use disorder treatment and other defendant-specific factors that complicate or delay placement.

## FY 2016 ACCOMPLISHMENTS

- ✓ Collaborated with the USAO and OAG to expand access to contract treatment services for defendants with domestic violence and drug/alcohol related traffic offenses. This category of defendants is now eligible to participate in the Drug Court program and will benefit from contract treatment for residential and intensive outpatient treatment for substance use and mental health services.
- ✓ Fifty-seven (57) defendants successfully graduated from Drug Court, with 47 defendants charged with misdemeanors having their cases nolleed due to participation.
- ✓ Continued collaboration with the DC Superior Court Mental Health Community Court Program, resulting in 264 defendants successfully completing the diversion program.
- ✓ Renewed all residential and intensive outpatient substance use disorder treatment contracts to ensure appropriate and qualified contract treatment providers for defendants in need of substance disorder and co-occurring treatment services. The renewal added gender specific programming for women. Under the new award, PSA can provide services to 20 women with children.
- ✓ Continued partnership with the DC Department of Behavioral Health (DBH) to improve service delivery to defendants diagnosed with mental illness. PSA management participated in a two-day workshop to develop a comprehensive plan that addresses the needs of individuals with

behavioral health disorders who are entering the criminal justice system. In addition, PSA continued to operate its in-house intensive outpatient program for co-occurring disorders, *Building Bridges*.

- ✓ Completed a comprehensive business process model to ensure that the treatment program has clearly defined and documented business processes.

## SUPPORTING MATERIALS

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### USING EVIDENCE AND EVALUATION TO IMPROVE OUTCOMES

PSA's FY 2018 Evidence and Evaluation agenda will support the Agency's larger strategic framework and also help to achieve several strategic goals and objectives. PSA has identified two key evidence and evaluation projects for FY 2017: evaluation of the Agency's Wellness Works pilot project; and analysis of workloads/caseloads within the Office of Operations to establish target caseload ratios.

In FY 2016, PSA also completed or carried over several internal evaluations from the previous fiscal year within its strategic areas.

#### Validated Risk Assessment Implementation

PSA implemented its research-validated risk assessment in FY 2014. In FY 2015, PSA contracted with the assessment's developer to examine the results of data from the first year of implementation, including re-evaluation of the cut-off points used for the current risk designations (very low, low, medium, high and very high) and the effects of potential alternate scoring options for several risk factors. The vendor made several suggestions regarding changes to certain risk factor scoring and the proper use of the models that predict the likelihood of specific types of pretrial rearrest. PSA began implementing recommended changes to scoring the global Appearance, Non-Arrest, and Danger/Violence risk models in FY 2016 and will continue with this effort in FY 2017.

#### Court Date Notification

Since its inception, PSA has notified released defendants of upcoming court appearances to help improve court appearance rates. With recent research validating this as a best practice for pretrial services agencies,<sup>5</sup> the Agency tested the efficiency of court notification by mail, text message and e-mail to determine which method may be the most effective means of court date notification. This internal review found that text and e-mail messaging appear to promote better rates of court appearance than the traditional letter notification approach. As a result of these findings, the Agency is revising its court date notification protocol to include text messaging and e-mail notification as primary methods of court date notification, when cellular phone and e-mail information is available.

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<sup>5</sup> Herian, M.N. and Bornstein, B.H. (2010). *Reducing Failure to Appear in Nebraska: A Field Study*. Lincoln, NE: University of Nebraska at Lincoln. Jefferson County Criminal Justice Strategic Planning Committee 2005. *Jefferson County, Colorado Court Date Notification Program FTA Pilot Project Summary*. O'Keefe, M. (2007). *Court Appearance Notification System: 2007 Analysis Highlights*. Portland. OR: Multnomah County Budget Office.

## Identifying Potential Points of Failure during Pretrial Supervision

PSA investigated whether defendants were more likely to engage in pretrial misconduct at certain points during pretrial supervision.<sup>6</sup> The analysis also attempted to identify commonalities in risk assessment factors, supervision level and release conditions of defendants that fail within identified time periods. A final report was presented to PSA Management in September 2015 with a follow-up presentation in November 2015. In FY 2016, the findings from this study were used to inform risk-based supervision and risk-based case management efforts in the Office of Operations.

## Judicial Survey

The *Judicial Survey* allows PSA to gauge the opinions of its principal consumers about the Agency's risk assessment, supervision and treatment services and support. In FY 2014,<sup>7</sup> all judicial officers responding from the DC Superior Court and US District Court were "Satisfied" or "Very Satisfied" with PSA services, while 99 percent of Superior Court respondents and 87 percent of District Court respondents were "Satisfied" or "Very Satisfied" with the information PSA provides about its services and programs. Judicial officers made several recommendations to improve how PSA presents information used for judicial decision-making, including better explanations for release or detention recommendations, more options for defendants on the domestic violence calendars besides release to electronic monitoring, offering judges a menu of release conditions instead of specific Agency programs, and improving on the timeliness of reports.<sup>8</sup> PSA augmented its survey with follow-up interviews with judges that expressed an interest in follow-up discussions in their survey responses. This will become a regular feature with future surveys.

In FY 2016, PSA launched a *Judicial Survey Action Committee* to prioritize and, where appropriate, manage implementation of select recommendations from the FY 2014 and future surveys. PSA also adopted a biennial schedule for future judicial surveys, with surveys conducted every other year and feedback and recommendations reviewed and analyzed the following year.

For FY 2017, PSA will continue to refine its survey methodology to facilitate responses from judicial officers and data analysis.

## Initial Detention and Subsequent Release Report

PSA continued its series examining trends associated with defendants that were detained at first appearance and subsequently released to PSA's supervision or on personal recognizance (PR) without supervision. For DCSC, PSA compared initial and subsequent release data from FY 2015 to similar data from FYs 2007-2014 to identify trends in rates of release and detention. In DCSC, 55.8 percent of initially detained defendants were subsequently released, with just over 95 percent released to PSA's supervision. This represented a drop from FY 2014 from 56.5 percent released,

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<sup>6</sup> This evaluation was, in part, a follow-up to findings from PSA risk assessment validation study, which suggested that a significant level of pretrial misconduct occurred within the first 30 days of supervision, and that the risk of pretrial rearrest for most defendants declined by 45 percent after the first month of supervision.

<sup>7</sup> PSA's reports here are always from the previous fiscal year.

<sup>8</sup> House, L.E. (2015). *2014 PSA Annual Judicial Survey*. Washington, DC: Pretrial Services Agency for the District of Columbia.



with 95 percent to PSA. About 64 percent of releases occurred within seven days of initial detention.

## **MANAGEMENT AND ADMINISTRATION**

### **Strategic Human Capital Management**

- ✓ Launched a *Wellness Works* pilot in support of the Agency's Management Performance Goal 4, which focuses on administering an effective human capital program, and the Presidential Memorandum on "Enhancing Workplace Flexibilities and Work-Life Programs." The intent of the program is to promote a culture of overall health and wellbeing for employees, thereby enhancing workforce productivity and morale. Through the pilot, PSA determine the feasibility of providing for excused absence for fitness/wellness activities for all employees. The pilot program launched in the summer of 2016 and ran for six months. Pilot results are being analyzed during FY 2017 and will be incorporated into the final program.
- ✓ Continued to enhance recruitment of individuals with targeted disabilities to support the Agency's vision of thriving as a leader through a diverse, inclusive and empowered workforce. The Office of Human Capital Management routinely reaches out to the DC Department on Disability Services, Rehabilitation Services Administration to solicit resumes for a variety of positions. Applicants are routed to selecting officials on Schedule A certificates which allows for their non-competitive hire, making it easier for disabled applicants to find employment and for the Agency to quickly fill critical vacancies with qualified individuals. In recognition for outstanding service and commitment to providing career development opportunities to people with disabilities in the District of Columbia, PSA received the Rehabilitation Services Administration's Outstanding Employer Award for 2016.
- ✓ Developed a climate survey to measure the status of labor-management relationship in support of Executive Order 13522, which focuses on establishing a cooperative and productive labor-management relationship that supports organizational performance. Management and union representatives, in partnership, developed this survey which covers the effectiveness of communication, pre-decisional involvement and mutual problem solving, negotiations and bargaining, information sharing, and dispute and grievance resolutions. It was administered in October 2016 to management officials, supervisors and union officials. The results will be used to determine what education should be provided to enhance organizational understanding of labor relations within the federal government and what areas the Agency should enhance to improve collaboration and facilitate mutual resolution to issues of concern.
- ✓ Continued to manage a Training and Career Development program committed to developing a workforce capable of effectively responding to current and future demands in administering pretrial services and creating a work environment that promotes inclusiveness and growth:
  - PSA employees completed nearly 5,700 training events including on-line courses, instructor-led courses, forums, shadowing and on-the-job instruction. Over 1,700 hours were completed during PSA's two-day Training and Professional Developmental Conference.

- Successfully collaborated with the DC Metropolitan Police Department in conducting training in the genesis, misconceptions, illicit use, legal challenges, trends and dangers of synthetic cannabinoids.
- Offered an employee roundtable focusing on the role that employee engagement plays in productivity, quality, retention, and morale. Due to the positive feedback received from those who participated, future roundtables will be held on a quarterly basis.
- Provided diversity and inclusion-related training to over 100 PSA employees and offered workshops on bridging the generation gap in the workplace.
- Twelve employees (GS-9 and below) participated in PSA's internal leadership development programs to gain the skills, experience and exposure necessary to prepare them for positions of more responsibility.
- Six employees participated in the Graduate School USA's formal leadership programs which included Executive Potential, Executive Leadership and New Leader courses.

### Information Technology

- ✓ Advanced a mobile workforce by upgrading smart phones, enhancing meeting spaces, and introducing collaboration tools. About 50 percent of PSA employees received state-of-the-art smart phones (Apple iPhones) which allowed for improved mobile connectivity and greater ease of use. PSA's meeting spaces (conference rooms, training rooms, and work group rooms) were upgraded with new audio visual equipment that feature enhanced teleconference and collaboration capabilities. PSA's also procured commercially available remote collaboration tools and made them available to teams and staff.
- ✓ Completed upgrade of the wireless system in courtrooms which allowed PSOs to have access to defendants' records during court proceedings thus enhancing functionality and performance. PSOs can easily submit and access information immediately in the courtrooms and provide information to judges. PSA also built a mobile application that allows the Diagnostic Unit (intake) to conduct defendants' interviews at the cell block. PSOs no longer have to write information on paper and then input information when they get back to their office location.

### Financial Statement Audit

- ✓ Achieved an *unmodified* (clean) opinion on the FY 2016 financial statements. The independent auditing firm Williams, Adley & Company-DC, LLC found no significant issues or material weaknesses, and verified that PSA's financial records accurately reflected the financial condition of the Agency.

### Improper Payments Reporting

- ✓ Conducted a review of programs and activities to determine susceptibility to improper payments in accordance with the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010. Given the inherent risks of the programs, internal controls, the results of prior financial audits, and PSA internal testing of its FY 2016

payment transactions, PSA has determined its programs are not susceptible to significant improper payments.

#### Data Act Implementation

OMB Memorandum M-15-12, *Increasing Transparency of Federal Spending by Making Federal Spending Data Accessible, Searchable, and Reliable*, issued May 8, 2015, requires Federal agencies to submit Digital Accountability and Transparency (DATA) Act implementation plans to OMB. The DATA Act of 2014 calls for establishing government-wide financial data standards and increasing the availability, accuracy, and usefulness of Federal spending information. On June 15, 2016, a joint OMB/Treasury memorandum was issued requesting agencies to submit an updated implementation plan by August 12, 2016.

CSOSA (CSP and PSA) is a small Federal Agency and obtains financial services from a Federal Shared Service Provider (FSSP), the Department of Interior, Interior Business Center (IBC). CSP and PSA, through separate interagency agreements, rely on IBC to provide financial management systems (Oracle Federal Financials) and operational support services and are highly dependent on IBC for implementing the Data Act requirements.

CSOSA (CSP and PSA) prepared an updated Data Act implementation plan in August 2016. CSP and PSA continue to work with IBC and participate in meetings led by OMB, Treasury or the Small Agency Council concerning DATA Act requirements and implementation. CSOSA completed the first DATA Act submission for FY 2017 second quarter by the April 30, 2017 deadline.

#### Elimination of Unnecessary Agency Plans and Reports

PSA has nothing to report.

## BUDGET DISPLAY

<b>SALARIES and EXPENSES</b> <b>SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS</b> <i>(Dollars in Thousands)</i>									
<b>Grade</b>	FY 2016 Actual		FY 2017 Projected		FY 2018 PB		Variance		FY 2016 <sup>1</sup> 95-15/16-1734 Actual
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE Amount
SES	3	525	3	543	3	550	0	7	0 0
GS-15	8	1,374	9	1,394	10	1,587	1	193	0 0
GS-14	25	3,284	29	3,606	32	4,078	3	472	0 0
GS-13	61	6,798	66	6,944	65	7,009	-1	65	0 0
GS-12	178	15,963	177	15,661	176	15,961	-1	300	0 0
GS-11	9	633	8	591	8	605	0	14	0 0
GS-09	9	582	11	691	11	708	0	17	0 0
GS-08	15	927	13	760	11	659	-2	-101	0 0
GS-07	21	1,202	28	1,561	34	1,943	6	382	0 0
GS-06	8	384	12	618	7	369	-5	-249	0 0
GS-05	4	175	8	390	7	349	-1	-41	0 0
<b>Total Appropriated FTE</b>	<b>341</b>	<b>31,847</b>	<b>364</b>	<b>32,759</b>	<b>364</b>	<b>33,818</b>	<b>0</b>	<b>1,059</b>	<b>0 0</b>
<b>Object Class</b>									
11.1 Full-time Permanent	<b>341</b>	<b>31,754</b>	<b>364</b>	<b>32,672</b>	<b>364</b>	<b>33,743</b>	<b>0</b>	<b>1,071</b>	<b>0 0</b>
11.3 Other than Full-time Permanent	0	93	0	87	0	75	0	-12	0 0
11.5 Other Personnel Compensation	0	692	0	865	0	318	0	-547	0 0
12.0 Personnel Benefits	0	14,411	0	14,972	0	15,400	0	428	0 0
<b>Personnel Costs</b>	<b>341</b>	<b>46,950</b>	<b>364</b>	<b>48,596</b>	<b>364</b>	<b>49,536</b>	<b>0</b>	<b>940</b>	<b>0 0</b>
21.0 Travel and Transportation of Persons	81		89		50		-39		0 0
22.0 Transportation of Things	0		0		0		0		0 0
23.1 Rental Payments to GSA	3,095		3,071		3,161		90		0 0
23.2 Rental Payments to Others	1,845		1,814		1,913		99		0 0
23.3 Communications, Utilities & Misc. Charges	714		797		747		-50		0 0
24.0 Printing and Reproduction	24		42		8		-34		0 0
25.1 Advisory and Assistance Services	383		344		115		-229		0 0
25.2 Other Services from non-Federal Sources	5,562		4,931		5,182		251		0 0
25.3 Other Goods/Services from Federal Sources	1,160		960		1,366		406		0 0
25.4 Operation and Maintenance of Facilities	146		46		70		24		0 0
25.7 Operation and Maintenance of Equipment	274		376		409		33		0 0
26.0 Supplies and Materials	457		576		586		10		0 0
31.0 Equipment	1,018		597		315		-282		0 69
43.0 Interest	0		0		0		0		0 0
<b>Non-Personnel Costs</b>	<b>14,759</b>		<b>13,643</b>		<b>13,922</b>		<b>279</b>		<b>69</b>
<b>TOTAL</b>	<b>341</b>	<b>61,709</b>	<b>364</b>	<b>62,239</b>	<b>364</b>	<b>63,458</b>	<b>0</b>	<b>1,219</b>	<b>0 69</b>

<sup>1</sup> FY 2016 Enacted (PL 113-235) provides authority to carry-forward 50 percent of unobligated FY 2015 authority to FY 2016. Unobligated carry forward balance of \$69,354 was used to support the purchase and installation of security barriers at eight CSP/PSA locations.